

PROCEEDINGS OF THE COMMON COUNCIL

IN REGULAR SESSION

TUESDAY, JUNE 14, 19 77

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening June 14 A.D., 19 77, in
Session. President _____ in the chair,

and Charles W. Westerman Clerk, at the desk, present the following

members _____ viz:

BURNS _____, HINGA _____, HUNTER _____, 8/2

MOSES _____, NUCKOLS _____, DONALD SCHMIDT _____,

VIVIAN SCHMIDT A, STIER _____, TALARICO _____,

ABSENT _____

COUNCILMAN _____, _____, _____,

The invocation was given by Reverend P.H. Love - Friendship Baptist
Church

Received report from the City Controller for the month of _____,

19 _____. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular April 26, May 24 & _____, 19 _____,

May 10 _____, 19 77,

Special May 3 & 10 _____, 19 77,

Session having been delivered to the Council, were, on motion, approved and
published.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

vivian g. schmidt

councilwoman-at-large

To the members of Common Council
Fort Wayne, Indiana 46802

Gentlemen:

I will be away from June 12 - 26, 1977, on vacation in Unicoi State Park,
Helen, Georgia.

Respectfully yours,

Vivian G. Schmidt/re.

Vivian G. Schmidt
Councilwoman at large

6-16-77
DATE
MADE A REVIEW OF RECORDS
CHARLES W.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

May 27, 1977

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, May 27, 1977, I have approved the following ordinances passed by Common Council at its regular meeting on May 24, 1977.

(Bill No. S-77-05-02)
SPECIAL ORDINANCE NO. S-93-77

AN ORDINANCE approving a contract with Allen County Motors, Inc. for 3 1977 Ford Econoline Vans and 1 1977 Ford Pick-Up for the Water Maintenance & Service Department

(Bill No. S-77-05-03)
SPECIAL ORDINANCE NO. S-94-77

AN ORDINANCE approving a certain bid document for four motorcycles for the Board of Public Safety

(Bill No. S-77-05-04)
SPECIAL ORDINANCE NO. S-95-77

AN ORDINANCE approving a certain bid document for the purchase of one 1977 Chevrolet Impala for the Street Engineering Department

(Bill No. S-77-05-05)
SPECIAL ORDINANCE NO. S-96-77

AN ORDINANCE approving a certain bid document for purchase of one 1977 Dodge Rescue Unit, Model M500 for the Fort Wayne Fire Department

(Bill No. S-77-05-06)
SPECIAL ORDINANCE NO. S-97-77

AN ORDINANCE approving a certain bid document for the purchase of 23 Four Door Sedan for the Board of Public Safety

DATE 11-17-77 MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

AN EQUAL OPPORTUNITY EMPLOYER



(Bill No. S-77-05-07)
SPECIAL ORDINANCE NO. S-98-77

AN ORDINANCE approving Change Order No. 1 in connection with the Coldwater Rd. (U.S. 27) and Essex Lane signal installation

(Bill No. R-77-05-31)
RESOLUTION NO. R-26-77

A RESOLUTION authorizing payments for repairs to police vehicles

(Bill No. R-77-05-32)
RESOLUTION NO. R-27-77

A RESOLUTION approving Section 8 Project for the Housing Authority

(Bill No. G-77-03-09)
GENERAL ORDINANCE NO. G-16-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street vacation

(Bill G-77-04-27)
(As Amended)
GENERAL ORDINANCE NO. G-17-77

AN ORDINANCE pertaining to humane methods for destruction of animals and prohibiting the use of decompression or high altitude chamber method used in such destruction

(Bill No. S-77-05-15)
SPECIAL ORDINANCE NO. S-99-77

AN ORDINANCE approving Change Order No. 10 in connection with Division II for WPC Plant Expansion

(Bill No. S-77-05-17)
SPECIAL ORDINANCE NO. S-100-77

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for installation of a water main on Adams Center Road

(Bill No. S-77-05-18)
SPECIAL ORDINANCE NO. S-101-77

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for installation of a water main on Maplecrest Road

(Bill No. S-77-05-19)
SPECIAL ORDINANCE NO. S-102-77

AN ORDINANCE approving a contract with International Harvester for installing engine in truck for the Water Pollution Control Plant

(Bill No. S-77-05-20)
SPECIAL ORDINANCE NO. S-103-77

AN ORDINANCE approving a contract with Dailey Asphalt Products Co., Inc. for replacing pavement on Washington Center Road for the Water Engineering Department

(Bill No. S-77-05-21)
SPECIAL ORDINANCE NO. S-104-77

AN ORDINANCE approving a contract with Treaty Company for materials for the Water Maintenance & Service Department

Respectfully yours,

A handwritten signature in black ink, appearing to read "Robert E. Armstrong". The signature is fluid and cursive, with the first name "Robert" being more prominent and the last name "Armstrong" following in a similar style.

Robert E. Armstrong
Mayor



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

DATE 6-19-77 FILED 6-19-77
CHARLES W. WESTERMAN, CITY CLERK

May 25, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated:

Bill No. Z-77-04-05

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of May, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

May 25, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 23, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-77-04-05
2. From "R1" to "R2"
3. Intended Use: Duplex
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

- a. The Commission feels that this request is spot zoning. Any deviation from the "R1" classification would probably trigger numerous petitions to allow similar uses.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary Baeten (ps)

Gary F. Baeten
Land Use Administrator

GFB:Pr
ATT.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 12, 1977, referred a proposed zoning map admendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-04-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

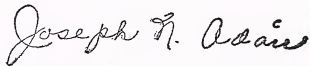
WHEREAS, the CItY Plan Commission conducted a public hearing on such proposed ordinance on May 16, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

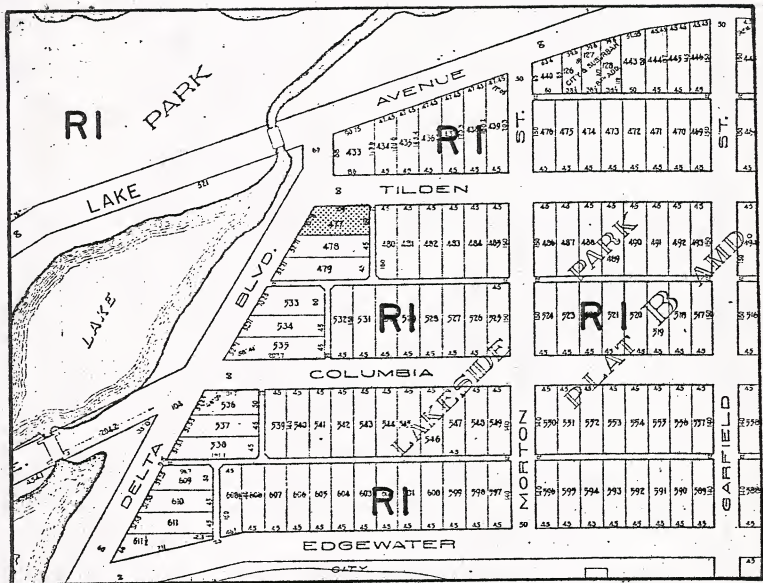
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.


This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 23, 1977.

Certified and signed this
25th day of May, 1977.



Joseph N. Adair
Secretary



 To be changed from R1 to R2

CASE NO.

DATE 3-14-77

PAGE C-5

2-77-04-05





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

May 31, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802



Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-04-26

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this
31st day of May, 1977.

Joseph N. Adair
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

May 31, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 23, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-77-04-26
2. From "R1" to "B4"
3. Intended Use: The front of these lots are utilized by Leath Furniture and Stoller's Inc.
The rear of these lots were not included in the original zoning approximately 12 years ago.
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. This is a logical extension of an existing commercial area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten (ps)

Gary F. Baeten
Land Use Administrator

GFB:pr
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 26, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-04-26: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

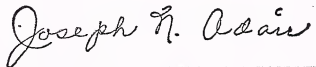
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 16, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

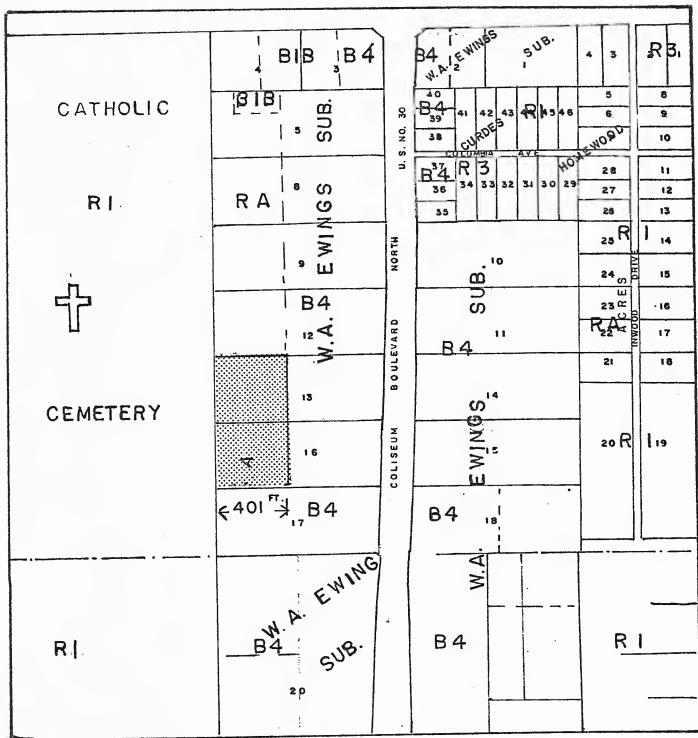
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 23, 1977.

Certified and signed this
31st day of May, 1977.



Joseph N. Adair
Secretary



Map No. F-5
M.C.

2-77-04-26

N



DATE 6-14-77

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802



May 31, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the City
of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of a street and a portion of an alley.

The proposed ordinance is designated as:

Bill No. G-77-03-31

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this
31st day of May, 1977.



Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE 6-14-77 CHARLES W. WESTERMAN, CITY CLERK





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

May 31, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one street and alley vacation acted upon by the City Plan Commission at their regular meeting held April 25, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-77-03-31
2. Intended Use: Emily Street and portion of north-south alley will be utilized by the Crows Haven Nursing Home.
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The Commission feels that this project would be more of a benefit to the area than it would be a detriment. They also feel that there are many accesses to this street and it would not be a burden to any of the people who normally use this area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:pr.
ATT.



30	4. ADDITI	36	OLIVER	20	HURD	20	ST.	20	BOWSER	158	36	35	34	33	FISHER	
31		36		30	23	30	24	30		36	44	44	44	44		
34		36		48	26	48	25	48		44	44	44	44			
35		36		48	27	48	28	48		60	44	44	44	44		
38		36		36	1	36	13	29		48	44	44	44	44		
39		36		36	2	36	32	48		48	44	44	44	44		
42		36		36	3	36	33	48		48	152	37	38	39		40
43		36		36	4	36	36	48		48	150	37	38	39		40
46	36	36	5	48	36	48	48	150	158	54	53	52	51	WOODS		
47	36	36	6	48	36	48	48	150	44	44	34	44				
154.7	36	36	110	48	150	48	48	44	44	34	44					
EMILY	36	36	110	48	150	48	48	44	44	34	44					
50	4. ADDITI	28	OLIVER	40	ST.	40	ST.	40	BOWSER	20	54	53	52	51	WOODS	
51		36		48	38	48	37	48		158	54	53	52	51		
54		36		48	39	48	40	48		44	44	34	44			
55		36		48	42	48	41	48		44	44	34	44			
58		36		48	43	48	44	48		44	44	34	44			



To be vacated

1-20-77

C-2

L.S.

6-77-03-31

N



R E S O L U T I O N

WHEREAS, LYLE B. CROW and JEANNE E. CROW (CROWS HAVEN NURSING HOME) and CARL ROHRER, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street and alley, situated in Allen County, Indiana, to-wit:

That portion of the north-south alley, extending north 48 feet from the north right-of-way of Emily Street, located between Lot # 36 of Eliza Hanna Strs. Sub. and Lot # 6 of P. H. Wyss Sub.

AND

That portion of Emily Street, starting at the west right-of-way of Bowser Avenue and extending west 150 feet to the east right-of-way of the north-south alley, lying between Lots # 36 and # 37 of Eliza Hanna Srs. Sub.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46;

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on Monday, April 18, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street and alley;

WHEREAS, said vacation of street and alley has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board, and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street and alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street and alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said street or alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

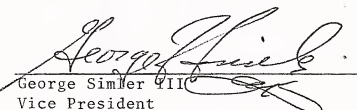
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, George Simler, III Vice
_____, /President of the
Fort Wayne City Plan Commission, do hereby certify that attached
hereto is a full, true and correct copy of a resolution adopted by
the Fort Wayne City Plan Commission following a public hearing of
said Commission held on April 18, 1977, and as the same appears of
record in the official records of said Plan Commission.

DATED THIS 31st DAY OF May, 1977

FORT WAYNE CITY PLAN COMMISSION


George Simler III
Vice President

64-1-9-0 42177

R E S O L U T I O N

WHEREAS, Lyle B. Crow and Jeanne E. Crow (CROWS HAVEN NURSING HOME) and Carl Rohrer, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street and portion of public alley, in Allen County, Indiana, to-wit:

1. That portion of the north-south alley, extending north 48 feet from the north right-of-way of Emily Street, located between Lot # 36 of Eliza Hanna Strs. Sub. and Lot # 6 of P. H. Wyss Sub.
2. That portion of Emily Street, starting at the west right-of-way of Bowser Avenue and extending west 150 feet to the east right-of-way of the north-south alley, lying between Lots # 36 and # 37 of Eliza Hanna Srs. Sub.

WHEREAS, said vacation of above described street and alley has been submitted to and approved by the following departments of the City of Fort Wayne: Street Engineering, Water Pollution Control Engineering, Traffic Engineering, Water Engineering, Park Board, Electrical Engineering, and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street and alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street and alley, hereinbefore described be and the same is hereby approved provided, that the vacation of said street and alley shall not have the effect of depriving any public utility using and occupying said street and alley at this time of the use of said street and alley for the location and operation of its utility facilities.

APPROVED: Dated this 28 day of February, 1977.

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member

ATTEST:

Mrs. Miller, Clerk

PETITION TO VACATE PORTION OF ALLEY AND PORTION OF EMILY STREET

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), does (do) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following portion of a public alley and portion of a public street, within the City of Fort Wayne, Indiana, and hereby described as follows:

That portion of the north-south alley, extending north 48 feet from the north right-of-way of Emily Street, located between Lot # 36 of Eliza Hanna Srs. Sub. and Lot # 6 of P. H. Wyss Sub.

AND

That portion of Emily Street, starting at the west right-of-way of Bowser Avenue and extending west 150 feet to the east right-of-way of the north-south alley, lying between Lots # 36 and # 37 of Eliza Hanna Srs. Sub.

In support thereof, your petitioner(s) would represent as follows:

1. That they are the owners of the real estate abutting both sides of the alley and street.
2. That the alley is unimproved and is not necessary as ingress or egress to any other properties whatsoever.
3. That no other person, firm, or corporation is interested in or affected by the requested vacation of said alley or street.
4. That the maintenance of said street and alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof.
5. When said street and alley is vacated, they will be utilized by Crows Haven Nursing Home for improving facilities for use by patients and employees.

Your petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your petitioners pray that the above described street and alley be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 22nd DAY OF December, 19 76.

Lyle B. Crow
CROWS HAVEN NURSING HOME
By: Lyle B. Crow

Jeanne E. Crow
By: Jeanne E. Crow

Carl H. Rohrer
Carl Rohrer
(Owner: Lot # 37 Eliza Hanna
Srs. Sub.)



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

June 2, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-04-06

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
2nd day of June, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

MAILED 16 JUN 22 1977
CITY OF FORT WAYNE
W. WESTERMAN, CLERK





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

June 2, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held May 23, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-77-04-06
2. From "B1B" to "B3B"
3. Intended Use: Auto Sales and Service / Body Shop /
Board Show Room for Sales and Service
4. Plan Commission Recommendation: DO PASS AND AMEND THE ORDINANCE TO REZONING LOTS #287, 288 and 289. Lots # 264, 265 and 266 TO REMAIN "B1B"

This ordinance received a DO PASS and AMENDMENT recommendation for the following reason:

- a. The Commission recommends approval of this request because of the nature of this use, along with other uses along the same area of Taylor Street. The Commission also recommends amendment for the reason that Lots # 287, 288 and 289 are being used for the intended use.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten (pr)

Gary F. Baeten
Land Use Administrator



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 21, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-04-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 16, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance BE AMENDED TO REZONE ONLY LOTS # 287, 288 and 289. LOTS # 264, 265 and 266 ARE TO REMAIN A "B1B", WITH A DO PASS RECOMMENDATION, for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

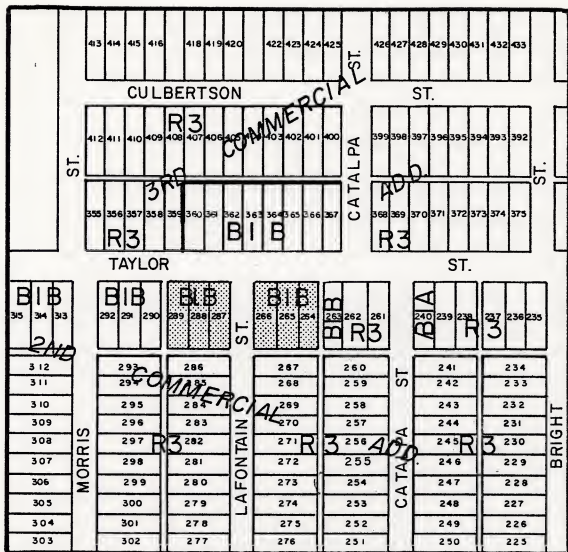
BE IT FURTHER RESOLVED that the secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 23, 1977.

Certified and signed this
2nd day of June, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary



 TO BE REZONED FROM BIB TO B3B

3-77-04-06





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

June 2, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-04-25

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
2nd day of June, 1977.

Joseph N. Adair
Secretary





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

June 2, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 23, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-77-04-25
2. From "RA" to "B1A"
3. Intended Use: Fast-foods convenience store
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. This area, with the exception of the property in this petition, is totally commercial. This request is the most logical use of the property.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:Pr
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 26, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-04-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

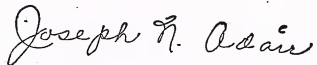
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 16, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

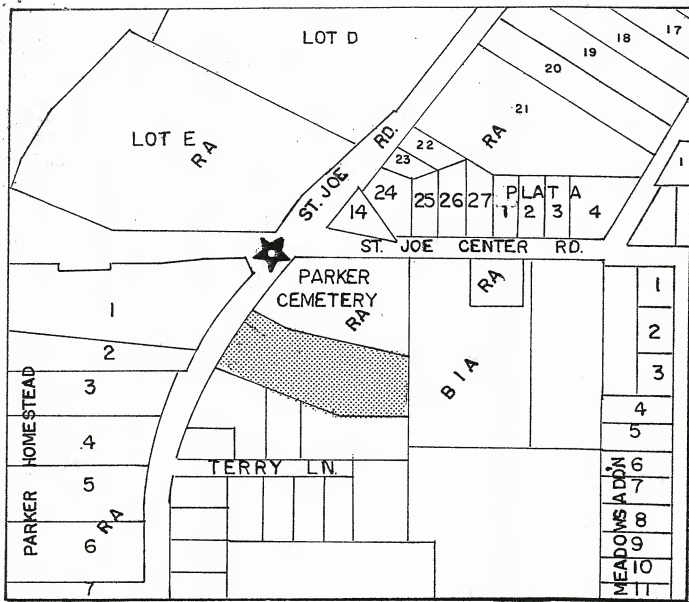
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 23, 1977.

Certified and signed this
2nd day of June, 1977.



Joseph N. Adair
Secretary



TO REZONE FROM RA TO BIA

3-77-04-25

Map No. F-17
 Map Drawn 1-12-77
 By: M.C.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

June 2, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of an alley.

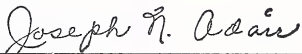
The proposed ordinance is designated as:

Bill No. G-77-03-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
2nd day of June, 1977.



Joseph N. Adair
Secretary

6-14-77 MADE A MATTER OF RECORD
DATE CHARLES W. WESTERMAN, CITY CL





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

June 2, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one alley vacation acted upon by the City Plan Commission at their regular meeting held April 25, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. G-77-03-10
2. Intended Use: This alley will be utilized by the Fort Wayne Redevelopment Commission. This street lies within the West Main Street Renewal Project, and said portion of vacated street is included in the Senior Citizens Housing Site.
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The Commission feels there is no reason to retain this alley for future use as this portion is needed for the West Main Street Renewal Project.

If there are any questions with regard to this ordinance please feel free to call on us.

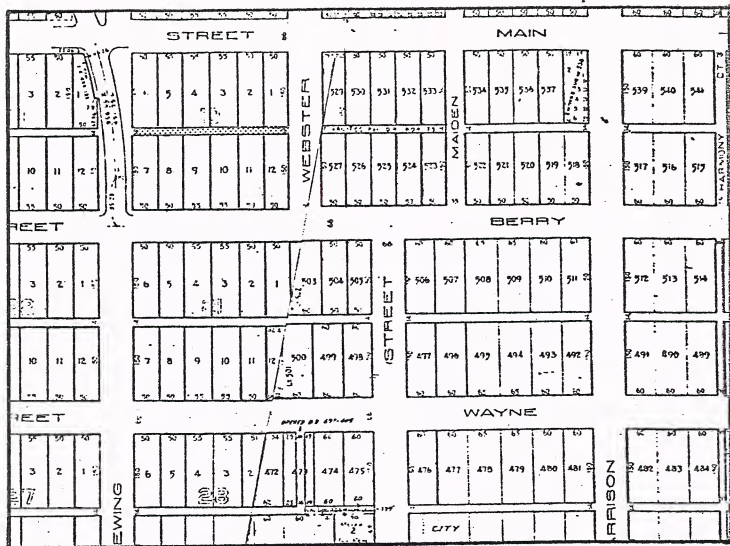
Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten
Land Use Administrator

GFB:pr





To be vacated

1-26-77

AA-3

L.S.

6-77-03-10

N

27 - 100 - 10 4/13/77

R E S O L U T I O N

WHEREAS, THE FORT WAYNE REDEVELOPMENT COMMISSION, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley, in Allen County, Indiana, to-wit:

The east-west alley extending east from the east right-of-way of Ewing Street to the west right-of-way of Webster Street, lying south of West Main Street and north of West Berry Street.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing will be given by due and proper publications thereof;

WHEREAS, said vacation of alley has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Electrical Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alley, hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alley, hereinbefore described, be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, HENRY P. WEHREBERG, Chairman of the Board
of Public Works, do hereby certify that attached hereto is a full,
true and correct copy of a resolution adopted by the Fort Wayne Board
of Public Works following a Board of Works Meeting held on _____
April 13, 1977, and as the same appears of record in the
official records of said Board of Public Works.

Dated this 13th day of APRIL, 1977.

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Chairman

Member
May J. Scott
Member

R E S O L U T I O N

WHEREAS, The FORT WAYNE REDEVELOPMENT COMMISSION, has petitioned, and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley situated in Allen County, Indiana, to-wit:

The east-west alley extending east from the east right-of-way of Ewing Street to the west right-of-way of Webster Street, lying south of West Main Street and north of West Berry Street

all in accordance with the term of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46;

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on April 18, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley.

WHEREAS, said vacation of alley has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission, that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

NOW THEREFORE, BE IT ALSO RESOLVED that the Fort Wayne Redevelopment Commission has submitted a covenant whereby they are willing to dedicate easement grants to General Telephone Company, Indiana and Michigan Electric Company, Northern Indiana Public Service Company and Fort Wayne City Utilities.

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

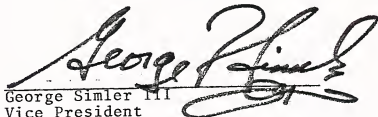
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forward to the proper governing body having jurisdiction of the vacation of said alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, George Simler, III, Vice President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on April 18, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 2nd DAY OF June, 1977

FORT. WAYNE CITY PLAN COMMISSION


George Simler III
Vice President

PETITION TO VACATE ALLEY

TO: City Plan Commission
City of Fort Wayne

Board of Public Works
City of Fort Wayne

The undersigned petitioner does hereby petition the City Plan Commission of the City of Fort Wayne to vacate the following alley located within the City of Fort Wayne, Indiana and described as follows:

The east/west alley extending east from the east right-of-way of Ewing Street to the west right-of-way of Webster Street, lying south of West Main Street and north of West Berry Street

In support thereof, your petitioner would represent as follows:

- (1) The Redevelopment Commission owns the real estate abutting on the north and south of said alley sought to be vacated.
- (2) That the alley, as it now exists, lies within the West Main Street Renewal Project for which the West Main Street Urban Renewal Plan calls for the vacation of said alley.
- (3) That the maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof.

Your petitioner files this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described alley be vacated according to the provisions of the Indiana Law pertaining thereto.

Dated this 24th day of January, 1977.

FORT WAYNE REDEVELOPMENT COMMISSION

By 
Robert P. Turk, Executive Director

1977 MAR 16 PM 2:43

EASEMENT

ALLEN COUNTY RECORDER

James E. Schubert

The City of Fort Wayne, Department of Redevelopment hereby grants to General Telephone Company, Indiana and Michigan Electric Company, Northern Indiana Public Service Company and Fort Wayne City Utilities the following easement in lieu of the previous easement being eliminated as a result of vacation of the East-West alley in the West Main Renewal Project, said easement to be used by Grantees for the furnishing of utility services, for the placing, erecting, and maintaining in, upon, along, over, under, through or across the following described real estate, such structures, equipment, and appurtenances as are necessary to furnish said utility services:

The North 20 feet of Lots 1, 2, 3, 4,
 Block 19
 5, and 6 in Ewing's Addition. Also the
 South 20 feet of Lots 7, 8, 9, 10, 11,
 Block 19
 and 12 in Ewing's Addition all in the
 City of Fort Wayne, Indiana.

DULY ENTERED FOR TAXATION

MAR 16 1977

James D. Uebelacker
 AUDITOR OF ALLEN COUNTY
Robert P. Turk

ROBERT P. TURK, Executive Director
 Fort Wayne Redevelopment Commission

STATE OF INDIANA)
) SS:
 COUNTY OF ALLEN)

Personally appeared before me, a Notary Public in and for said County and State this 16th day of March, 1977, Robert P. Turk, known to me to be Executive Director of the Fort Wayne Redevelopment Commission, and acknowledged the execution of the above and foregoing to be the voluntary act and deed as such Executive Director of said Commission and the voluntary act and deed of City of Fort Wayne, Indiana, Department of Redevelopment.

IN WITNESS WHEREOF, I have hereunto affixed my name and official seal.

MY COMMISSION EXPIRES:

March 31, 1979

Julia A. Ziegler
 NOTARY PUBLIC
Julia H. Ziegler

INSTRUMENT K. 451

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Numbers: 23/77/E

For the Purpose of enforcement, please make this communication and
the attached Regulatory Resolutions a matter of record and in-
corporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,



Albert N. Hepler, Chairman
Board of Public Safety

DATE 6-14-77 MADE A MATTER OF RECORD
CITY CLERK

REGULATORY RESOLUTION NO 23/77 /E

(Adopted June 2, 19 77)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 16/77/E and 18/77/E
16/77/E:
STOP INTERSECTION (EMERGENCY) NO PARKING (EMERGENCY)
18/77/E:
STOP INTERSECTION (EMERGENCY); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 1, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective June 2,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

16/77/E: EXPIRATION DATE - 6/5/77

STOP INTERSECTION (EMERGENCY)

Strawberry Dr. -- stop -- for Springbrook Rd.

NO PARKING (EMERGENCY)

Calhoun St. -- both sides -- from Belmont St. to Tillman Rd.

18/77/E: EXPIRATION DATE 6/5/77

STOP INTERSECTION (EMERGENCY)

Michigan Ave. -- stop -- for Thompson Ave.

RETURN CERTIFICATE

(Regulatory Resolution No. 23/77 /E)

I hereby certify that I did this 2nd day of June, 19 77 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 23/77 /E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

John C. Leifman

EXECUTIVE SECRETARY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Numbers: 24/77/E & 25/77/D

For the Purpose of enforcement, please make this communication and
the attached Regulatory Resolutions a matter of record and in-
corporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,



Albert N. Hepler, Chairman
Board of Public Safety

DATE 6-11-77 MADE A MATTER OF RECORD
CHARLES W. WETTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 24/77/E

(Adopted June 9, 1977)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to SPEED LIMIT 35 MPH (EMERGENCY)

DELETE: SPEED LIMIT 30 MPH (EMERGENCY)
_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated June 7, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective June 9,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

SPEED LIMIT 35 MPH (EMERGENCY)

Spy Run Extended -- from -- North Clinton St. to Parnell Ave.

DELETE:
SPEED LIMIT 30 MPH (EMERGENCY)

Spy Run Extended -- from North Clinton St. to Parnell Ave.

REGULATORY RESOLUTION NO. 25/77 /D

(Adopted June 9, 19 77)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961. authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter as so amended delegates to this Board authority to PREFERENTIAL
INTERSECTION (DELEGATED)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 7, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby ordered, effective June 9, 19 77, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Holly Ave. -- preferential -- at McCormick Ave.

RETURN CERTIFICATE

^{24/77/E}

(Regulatory Resolution No. 25/77/D /)

I hereby certify that I did this 9th day of
June, 1977 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
Regulatory Resolution No. ^{24/77/E}25/77/D of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Secretary of said Board, in accordance with the provisions
of Section 20 (a) of Chapter 31, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



EXECUTIVE SECRETARY